



# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

**NOTE:** There is one Extraordinary issue to the Official Gazette, Series I No. 42 dated 14-1-99 namely, Extraordinary dated 18-1-99 from pages 597 to 598 regarding Notifications from Department of Public Health (Directorate of Food & Drugs Administration) and Department of Social Welfare (Directorate of Women & Child Development).

### GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Archives, Archaeology and Museum

#### Notification

8/136/98/AAM/1729

Whereas the Government of Goa is of the opinion that the ancient archaeological sites as specified in the Schedule hereto (hereafter called 'said sites') require protection under the Goa, Daman and Diu Ancient Monument and Archaeological Sites and Remains Act, 1978 (Act No 1 of 1979) (hereafter called the 'said Act').

Now therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, the Government of Goa hereby gives two months' notice of its intention to declare said Sites to be protected areas. Any person interested in the said Sites may forward his objections to the Director, Archives, Archaeology and Museum, Government of Goa, Panaji, before the expiry of two months from the date of publication of this notification in the Official Gazette.

#### SCHEDULE

S. N.	Name of the Site	Village	Taluka	Survey No.	Sub. Div.	Ownership of Site
(1)	Site of Rock Carvings at Pansaimal.	Colomb within Rivona village Panchayat.	Sanguem	107, 108, 109.	Includ- ing all if any.	Forest Depart- ment, Govern- ment of Goa.
(2)	Site of Rock Carvings at Kazur.	within the Cavarem village Panchayat.	Quepem.	10	9 and 18.	Paik Deva- sthan.

By order and in the name of the Governor of Goa.

Dr. P. P. Shirodkar, Directorate of Archives, Archaeology & Museum.

Panaji, 12th January, 1999.

Department of Law & Judiciary

Legal Affairs Division

#### Notification

10-4-98/LA

The Beedi Workers Welfare Cess (Amendment) Act, 1998 (Central Act 24 of 1998), which has been passed by Parliament and assented to by the President of India on 20th August, 1998 and published in the Gazette of India, Extraordinary, Part II, Section I dated 20th August, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 31st December, 1998.

#### THE BEEDI WORKERS WELFARE CESS (AMENDMENT) ACT, 1998

AN

ACT

further to amend the Beedi Workers Welfare Cess Act, 1976.

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Beedi Workers Welfare Cess (Amendment) Act, 1998.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 3 of Act 56 of 1976.*— In the Beedi Workers Welfare Cess Act, 1976, in section 3, in sub-section (1), for the words "not be less than ten paise or more than fifty paise", the words "not be less than fifty paise or more than five rupees" shall be substituted.

Notification	Notification
10-4-98/LA	10-4-98/LA
<p>The President's Emoluments and Pension (Amendment) Act, 1998 (Central Act 25 of 1998), which has been passed by Parliament and assented to by the President of India on 20th August, 1998 and published in the Gazette of India, Extraordinary, Part II, section I, dated 20th August, 1998 is hereby published for general information of the public.</p>	<p>The Governors (Emoluments, Allowances and Privileges) Amendment Act, 1998 (Central Act 27 of 1998), which has been passed by Parliament and assented to by the President of India, on 20th August, 1998 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 20th August, 1998 is hereby published for general information of the public.</p>

P. V. Kadneker, Joint Secretary (Law).

Panaji, 31st December, 1998.

THE PRESIDENT'S EMOLUMENTS AND PENSION  
(AMENDMENT) ACT, 1998

AN

ACT

*further to amend the President's Emoluments and Pension Act, 1951.*

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the President's Emoluments and Pension (Amendment) Act, 1998.

2. *Amendment of section 1A.*— In section 1A of the President's Emoluments and Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "twenty thousand rupees", the words "fifty thousand rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996.

3. *Amendment of section 2.*— In section 2 of the principal Act, in sub-section (1),—

(i) for the words "one lakh twenty thousand rupees", the words "three lakh rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996;

(ii) the following proviso shall be inserted at the end, namely:—

"Provided that if any person before assuming the office of President, has held the office of the Vice-President, such person shall not be entitled to any pension and other benefits under the provisions of the Vice-President's Pension Act, 1997."

30 of 1997.

THE GOVERNORS (EMOLUMENTS, ALLOWANCES  
AND PRIVILEGES) AMENDMENT ACT, 1998

AN

ACT

*further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982.*

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 1998.

2. *Amendment of Act 43 of 1982.*— In section 3 of the Governors (Emoluments, Allowances and Privileges) Act, 1982, for the words "rupees eleven thousand per mensem", the words "rupees thirty-six thousand per mensem" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 1996.

Notification

10-4-98/LA

The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1998 (Central Act 28 of 1998), which has been passed by Parliament and assented to by the President of India on 20th August, 1998 and published in the Gazette of India, Extraordinary, Part II, section I, dated 20th August, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 30th December, 1998.

THE SALARY, ALLOWANCES AND PENSION  
OF MEMBERS OF PARLIAMENT (AMENDMENT)  
ACT, 1998

AN

ACT

*further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.*

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1998.

2. *Amendment of section 3.*— In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), for the words “one thousand and five hundred rupees” and “two hundred rupees”, the words “four thousand rupees” and “four hundred rupees” shall respectively be substituted. 30 of 1954.

3. *Amendment of section 4.*— In section 4 of the principal Act,—

(i) in sub-section (I), in clause (c), in sub-clause (ii), for the words “five rupees”, the words “six rupees” shall be substituted;

(ii) the proviso to sub-section (2) shall be omitted.

4. *Amendment of section 5.*— In section 5 of the principal Act, in sub-section (2),—

(i) in the proviso, for the word “twenty-eight”, the word “thirty-two” shall be substituted;

(ii) after the proviso as so amended, the following proviso shall be inserted, namely:—

“Provided further that where the number of journeys performed by any member by air is less than thirty-two, then, such number of journeys not performed by him shall be carried over to the following year.”.

5. *Amendment of section 6B.*— In section 6B of the principal Act, for clause (iii), the following clause shall be substituted, namely:—

“(iii) to free travel by any railway in India in first class air-conditioned or executive class in all trains by the spouse, if any, of the member from the usual place of residence of the member to Delhi and back and if such journey or any part thereof is performed by air from any place other than the usual place of residence of the member, to Delhi and back, to an amount equal to the fare by air for such journey or part thereof.”.

6. *Amendment of section 8A.*— In section 8A of the principal Act,—

(i) in sub-section (I),—

(a) for the words “one thousand and four hundred rupees”, the words “two thousand and five hundred rupees” shall be substituted;

(b) in the first proviso, for the words “two hundred and fifty rupees”, the words “five hundred rupees” shall be substituted;

(ii) for sub-section (IA), the following sub-section shall be substituted, namely:—

“(IA) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1998, there shall be paid a pension of rupees one thousand per mensem, to the spouse, if any, or dependant of any member who dies during his term of office as such member, for a period of five years from the date of his death.”.

7. *Amendment of section 8B.*— In section 8B of the principal Act, for the words “fifty thousand rupees”, the words “one lakh rupees” shall be substituted.

#### Notification

10-4-98/LA

The Salaries and Allowances of Officers of Parliament (Amendment) Act, 1998 (Central Act 26 of 1998), which has been passed by Parliament and assented to by the Parliament of India on 20th August 1998 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 20th August, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 31st December, 1998.

#### THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) ACT, 1998

AN

ACT

further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 1st day of January, 1996.

2. *Amendment of section 3.*— In the Salaries and Allowances of Officers of Parliament Act, 1953 20 of 1953, (hereinafter referred to as the principal Act), for sub-section (I), the following sub-section shall be substituted, namely:—

“(I) There shall be paid to the Chairman of the Council of States a salary of forty thousand rupees per mensem.”.

3. *Amendment of section 5.*— In section 5 of the principal Act, the words “the Chairman of the Council of States and” shall be omitted.

**Notification**

10-4-98/LA

The Representation of the People (Amendment) Act, 1998 (Central Act 12 of 1998) which has been passed by the Parliament and assented to by the President of India, on 22nd June, 1998 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 23rd June, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 4th January, 1999.

**THE REPRESENTATION OF THE PEOPLE (AMENDMENT), ACT 1998**

AN

ACT

*further to amend the Representation of the People Act, 1951:*

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Representation of the People (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 23rd day of December, 1997.

2. *Substitution of new section for section 159 of Act 43 of 1951.*— For section 159 of the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

“159. *Staff of certain authorities to be made available for election work.*— (1) The authorities specified in sub-section (2) shall, when so requested by a Regional Commissioner appointed under clause (4) of article 324 or the Chief Electoral Officer of the State, make available to any returning officer such staff as may be necessary for the performance of any duties in connection with an election.

(2) The following shall be the authorities for the purposes of sub-section (1), namely:—

(i) every local authority;

(ii) every university established or incorporated by or under a Central, Provincial or State Act;

(iii) a Government company as defined in section 617 of the Companies Act, 1956; 1 of 1956.

(iv) any other institution, concern or undertaking which is established by or under a Central, Provincial or State Act or which is controlled, or financed wholly or substantially by funds provided, directly or indirectly, by the Central Government or a State Government.”.

3. *Repeal and saving.*— (1) The Representation of the People (Amendment) Ordinance, 1998, is Ord. 12 of 1998, hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

**Notification**

10-4-98/LA

The Merchant Shipping (Amendment) Act, 1998 (Central Act 9 of 1998) which has been passed by Parliament and assented to by the President of India on 22nd June, 1998 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 23rd June, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 4th January, 1999.

**THE MERCHANT SHIPPING (AMENDMENT) ACT, 1998**

AN

ACT

*further to amend the Merchant Shipping Act, 1958.*

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Merchant Shipping (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 26th day of September, 1997.

2. *Amendment of section 89.*— In section 89 of the Merchant Shipping Act, 1958 (hereinafter referred to as the principal Act), after clause (d), the following clause shall be inserted, namely:—

“(dd) to transmit the complaint of any dispute of a foreign seaman of a vessel, registered in a country other than India,

in Indian territorial waters, with the master, owner or agent, to the competent authority of the country of registration and a copy of such complaint shall be forwarded to the Director General, International Labour Organisation Office;".

3. *Amendment of section 132.*—In section 132 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(IA) Any complaint of dispute received by the shipping master from an Indian seaman, on a vessel registered in a country other than India, in Indian territorial waters, with the master, owner or agent.”.

4. *Insertion of new section 138A.*—After section 138 of the principal Act, the following section shall be inserted, namely:—

“138A. *Working hours of seamen.*—The ordinary hours of work for all seamen shall not exceed forty-eight hours in a week.”.

5. *Amendment of section 369.*—In section 369 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) The Central Government shall, on receipt of the investigation report from the court, cause it to be published in the Official Gazette.”.

6. *Amendment of section 436.*—In section 436 of the principal Act, in sub-section (2), in the table, after serial number 42 and the entries relating thereto, the following shall be inserted, namely:—

“42A	If the master or owner contravenes the provisions of section 138A	138A	Fine which may extend to double the average wages per hour payable to the seaman for working beyond forty-eight hours”.
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7. *Repeal and saving.*—(1) The Merchant Shipping (Amendment) Ordinance, 1998, is hereby repealed.

Ord. 7 of 1998.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

#### Notification

10-4-98/LA

The Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 1998 (Central Act 10 of 1998), which has been passed by Parliament and assented to by the President of India on 22nd June, 1998 and published in the

Gazette of India, Extraordinary Part II, Section I, dated 23rd June, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 5th January, 1999.

#### THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1998

AN

ACT

further to amend the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 22nd day of September, 1997.

2. *Amendment of section 6.*—In section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the principal Act), for the words “eight and one-third per cent.” and “ten per cent.”, wherever they occur, the words “ten per cent.” and “twelve per cent.” shall respectively be substituted.

3. *Amendment of section 7D.*—In section 7D of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) A person shall not be qualified for appointment as a Presiding Officer of a Tribunal (hereinafter referred to as the Presiding Officer) unless he is, or has been, or is qualified to be,—

(i) a Judge of a High Court; or

(ii) a District Judge.”.

4. *Amendment of section 7F.*—Section 7F of the principal Act shall be re-numbered as sub-section (1) thereof, and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

“(2) The Presiding Officer shall not be removed from his office except by an order made by the President on the ground of proved misbehaviour or incapacity after an inquiry made by a Judge of the High Court in which such Presiding Officer had been informed of the charges against him and given a

reasonable opportunity of being heard in respect of those charges.

(3) The Central Government may, by rules, regulate the procedure for the investigation of misbehaviour or incapacity of the Presiding Officer.”.

5. *Amendment of section 16.*— In section 16 of the principal Act, in sub-section (1),—

(i) in clause (c), the word “or” occurring at the end shall be omitted;

(ii) clause (d) and the *Explanation* thereto shall be omitted.

6. *Repeal and saving.*— (1) The Employees’ Provident Funds and Miscellaneous Provisions Ord. 8 of (Amendment) Ordinance, 1998 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

#### Notification

10-4-98/LA

The Payment of Gratuity (Amendment) Act, 1998 (Central Act 11 of 1998), which has been passed by Parliament and assented to by the President of India on 22nd June, 1998 and published in the Gazette of India, Extraordinary, Part II, Section I, dated 23rd June, 1998 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 4th January, 1999.

#### THE PAYMENT OF GRATUITY (AMENDMENT) ACT, 1998

AN

ACT

Further to amend the Payment of Gratuity Act, 1972.

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Payment of Gratuity (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on the 24th day of September, 1997.

2. *Amendment of section 4 of Act 39 of 1972.*— In section 4 of the Payment of Gratuity Act, 1972 (hereinafter referred to as the principal Act), in sub-section (3), for the words “one lakh”, the words “three lakhs and fifty thousand” shall be substituted.

3. *Repeal and saving.*— (1) The Payment of Gratuity (Amendment) Ordinance, 1998 is hereby repealed. Ord. 10 of 1998.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

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#### Department of Personnel

#### Notification

5/3/74-PER (Vol. II)

In exercise of the powers conferred by sub-section (2) of section 9, sub-section (2) of section 12 and section 24 of the Central Civil Services (Classification, Control and Appeal Rules), 1965 read with item (iii) of the Serial No. 4 of part III and item (iii) of Serial No. 1 of Part IV of the Schedule thereto, the Governor of Goa hereby specifies with immediate effect, the following authorities in place of authorities specified earlier regarding Appointing, Disciplinary and Appellate authorities under the said rules for Group ‘C’ and ‘D’ posts in the Secretariat.

#### SCHEDULE

Sl. No.	Description of post	Appointing Authority	Authority to impose penalties and which it may impose (with reference to item number in Rule 11)	Authority	Appellate Authority
1	2	3	4	5	6
1.	Group ‘C’ and ‘D’ posts in the Secretariat	Secretary (GA)	Secretary (GA)	All	Chief Secretary

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 8th January, 1999.

## Department of Public Health

## FORM - I

## Application Form for Admission as Voluntary Patient

(See Rule 3)

To,

The Medical Superintendent,  
Institute of Psychiatry &  
Human Behaviour, Altinho,  
Panaji-Goa.

Sir,

I, ..... guardian of ..... is hereby request you to admit me/my ward in your Institute for treatment, as a voluntary patient.

Address:—

Yours faithfully,

Date:—

Signature of the applicant

I hereby admit Mr./Mrs./Miss ..... to this Institute for treatment as a voluntary patient.

Date:—

Medical Superintendent  
IPHB, Panaji-Goa.

## FORM - II

## Application Form for Admission under special Circumstances

(See Rule 4)

(To be made by relatives or friend of the patient)

To,

The Medical Superintendent,  
Institute of Psychiatry &  
Human Behaviour, Altinho,  
Panaji-Goa.

Sir,

I, ..... hereby request to admit Mr./Mrs./Miss ..... as an inpatient in your Institute for treatment, under the provisions of sub-section (1) of Section 19 of the Mental Health Act, 1987 (Central Act 14 of 1987).

Address:—

Yours faithfully,

Dated:—

Signature of the applicant/  
Relation to patient.

I, hereby admit Mr./Mrs./Miss ..... as an inpatient in this Institute for treatment for a period not exceeding 90 days.

By order and in the name of the Governor of Goa.

Dr. J. M. Fernandes, Ex-Officio-Addl-Secretary and  
Director & Professor (IPHB).

Panaji, 12th January, 1999.

I further certify that he/she has been examined by the two below mentioned authorised medical attendants of this Institute who have found him to be mentally ill, requiring observation and treatment as an inpatient in this Institute.

1. Name	Designation	Signature
Medical Superintendent Institute of Psychiatry & Human Behaviour, Altinho, Panaji-Goa.		

## FORM - III

(See Rule 5)

Order of Discharge of Shri .....

I hereby direct that Mr./Mrs./Miss ..... be discharged from Institute of Psychiatry and Human Behaviour.

I further certify that he/she has been examined by:—

Dr. .....

and

Dr. .....

authorised medical attendants of said Institute, and has been recommended for discharge.

Name of the Sr. Resident/Consultant	Designation & Signature
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Medical Superintendent IPHB, Altinho, Panaji.
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Copy to:-

The Chief Judicial Magistrate First Class,  
North/South Div., ..... Goa.

Ref. to Order No. ....

Dated: .....

## FORM - IV

## Medical Certificate

(See Rule 6)

In the matter of .....  
of ..... in the town .....  
North/South district of the State of Goa. I, Dr. the undersigned  
Medical Officer, do hereby certify Mr./Mrs./Miss .....  
to be a mentally ill person during his observation period of  
..... days, from ..... to .....  
in the Institute of Psychiatry and Human  
Behaviour, Altinho, Panaji-Goa, from the following Symptoms &  
Signs.

Signature of Medical Officer

## Corrigendum

In the Order of Department of General Administrative Reforms No. 13-15-98/GAD dated 23-12-1998 published in the Official Gazette Series I No. 41 dated 7-1-1999 in first para the pay scale may be corrected to read as "10000-15200" instead of "1000-15200".